

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC**

In the Matter of:

Request for Review and Waiver	)	
of the Decision of the	)	
Universal Service Administrator by	)	
	)	File No. SLD-562026
School District of Philadelphia	)	
BEN Number: 126161	)	
	)	CC Docket No: 02-6
Schools and Libraries Universal Service	)	
Support Mechanism	)	
	)	
Wireline Competition Bureau	)	

**REQUEST FOR REVIEW AND WAIVER**

**INTRODUCTION**

Section 54.719(c) of the Commission’s rules provides that any person aggrieved by an action taken by a division of the Universal Service Administrative Company (USAC) may seek review from the Commission.<sup>1</sup> The School District of Philadelphia (SDP) hereby appeals the current action taken by USAC in the following case.

**BACKGROUND**

On August 28, 2007, the School District received funding commitments for all of the FRNs on its Form 471 Application No. 562026. This Application included funding requests for the School District’s telecom and internet access services. The School District then filed their Form 486 on September 10, 2007 (see Applicant’s Form 486 attached as Exhibit A). The SLD processed the School District’s Form 486 around September 18, 2007, and at that time approved the requested service start date of July 1, 2007 for all the FRNs but FRN 1553808. For this FRN, the service start date was entered

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<sup>1</sup> 47 C.F.R. § 54.719(c).

into the SLD system as 07/10/2007 instead of the requested 07/01/2007. No monetary adjustments were made to this FRN, and no reason for the change is given on the Form 486 Notification Letter (see Form 486 Notification Letter attached as Exhibit B). Instead this appears to be a typographical error that was made at the SLD when the service start date was recorded.

On September 8, 2008, SDP filed a Letter of Appeal with USAC regarding the service start date error. (A copy of the Appeal filed with USAC is attached as Exhibit C.) On October 17, 2008, USAC denied the District's Appeal. A copy of the Administrator's Decision on Appeal is attached as Exhibit D.

## **DISCUSSION**

### **Waiver of 60 day deadline for filing an appeal**

USAC denied the District's appeal due to the fact it was not filed within 60 days of the Form 486 Notification Letter being mailed to the District. At this time, SDP would request the FCC waive the 60 day filing deadline and instruct the SLD to correct what is a data entry error made by the SLD. As stated in previous FCC decisions, the standard for granting a Commission waiver is as follows:

The Commission may waive any provision of its rules on its own motion and for good cause shown.<sup>2</sup> A rule may be waived where the particular facts make strict compliance inconsistent with the public interest.<sup>3</sup> In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.<sup>4</sup> In sum, waiver is appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule.<sup>5</sup>

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<sup>2</sup> 47 C.F.R. § 1.3.

<sup>3</sup> *Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*).

<sup>4</sup> *WAIT Radio v. FCC*, 418 F.2d 1153, 1157, (D.C. Cir. 1969), affirmed by *WAIT Radio v. FCC*, 459 F.2d 1203 (D.C. Cir. 1972).

<sup>5</sup> *Northeast Cellular*, 897 F.2d at 1166.

For the reasons given below, SDP requests a waiver of the 60 day deadline to file an appeal with USAC.

**The current service start date is not consistent with the public interest**

SDP recognizes that a 10 day difference in the service start date may appear overly picky. However the FRN at issue is the funding request for reimbursements for the local phone service received by SDP. As filed, the funding request anticipates monthly local telephone charges of \$135,000.00. The District now has to cost allocate out approximately 1/3 of the monthly charges, which for a District the size of Philadelphia, comes up to approximately \$45,000.00. These are e-rate eligible charges that the District cannot now request reimbursements on due to the SLD's error. This is not in line with the stated public interest of the E-rate program to promote the statutory requirements of section 254(h) of the Communications Act of 1934, as amended, by helping to ensure that schools and school districts such as SDP obtain access to discounted telecommunications and information services.<sup>6</sup>

**The current start date does not promote the equitable, effective implementation of the E-rate program**

The District understands that it has a duty to review notification letters when received. In this case, the District's USF Program Administrator was on maternity leave when the notification letter arrived. The District staff filling in for the USF Administrator did not understand that the notification letter needed to be reviewed. It was simply filed away for record retention purposes. It was not until the District began preparing Form 472 (BEAR) reimbursement paperwork that the data entry error was discovered. At that time SDP filed an appeal with USAC in an attempt to correct what is a SLD error, but was denied.

The Commission has recognized that when school district staff adept at filing e-rate forms have events or emergencies that prohibit their participation in the E-rate program,

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<sup>6</sup> 47 U.S.C. § 254(h). The Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, amended the Communications Act of 1934. Nothing in this order is intended to authorize or require payment of any claim that has previously been released by a service provider or applicant, including in a civil settlement or criminal plea agreement with the United States.

there may not be staff remaining at the district who are proficient in the program.<sup>7</sup> This is what happened in this case. The person normally charged with monitoring the District's E-rate activity was out on maternity leave. This is the person who works with the E-rate program on a day to day basis and would have known to check the Form 486 Notification Letter. In her absence, the District staff that filled in during this time period, do not work on a daily basis with the E-rate program, and did not know to verify the information in the notification letter. There was no intent to create any kind of waste, fraud or abuse to the program.

In this case, the Form 486 was filed timely and requested the correct service start date of July 1, 2007. Somehow when the form was data entered by SLD staff, the date of 07/01/2007 was transposed to 07/10/2007. On the Form 486 Notification Letter, there was no reduction taken, nor was there any reason given by the SLD for why a service start date of July 10, 2007 was used. The Form 486 contained service start dates for a total of seven FRNs, and this was the only FRN that had the requested service start date changed. The only explanation is that the SLD data entered the date incorrectly.

Even though clerical errors on the part of the SLD were not directly addressed in the *Bishop Perry Order*, this is comparable in that a ministerial, clerical error was committed and the SLD should correct their mistake.<sup>8</sup> Without this correction, SDP will be effectively deprived of funds to which they are entitled. SDP did comply with program rules when they timely sent a Form 486 to the SLD for processing. This form correctly reported service start dates of July 1, 2007 for all seven of the FRNs it contained.

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<sup>7</sup> See *Requests for Waiver of Decisions of the Universal Service Administrator by Alcona County Library, Schools and Libraries Universal Support Mechanism*, et al, CC Docket No. 02-6, Order, DA 08-2379, para. 6 (2008).

<sup>8</sup> See *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316 (2006).

**SUMMARY**

The School District of Philadelphia respectfully requests the FCC remand the case back to USAC with orders that the service start date for the FRN 1553808 be returned to July 1, 2007, as originally requested by SDP. The District would also request that the FCC order USAC to extend the invoice deadline for this FRN as well so that the District can file a Form 472 for the 10 days of service for which they are currently unable to request reimbursements.

Respectfully,



John D. Harrington  
Funds For Learning, LLC  
On Behalf of The School District of Philadelphia

501 South Coltrane  
Edmond, OK 73003  
405.341.4140  
[jharrington@fundsforlearning.com](mailto:jharrington@fundsforlearning.com)

**EXHIBIT A:  
Form 486  
Applicant Form Identifier of SP07-48602**

**Schools and Libraries Universal Service  
Receipt of Service Confirmation Form**

To be completed by the Billed Entity  
Please read instructions before completing. (You can also file online at [www.usac.org/sl](http://www.usac.org/sl).)

Applicant's Form Identifier <b>SP07-48602</b> (Create your own code to identify THIS Form 486)	Form 486 Application#: _____ (To be assigned by administrator)
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**Block 1: Billed Entity Information**

**1. Name of Billed Entity**  
**School District of Philadelphia**

**2. Billed Entity Number** **126161**      **3. Funding Year** **July 1, 2007** through **June 30, 2008**

**4. Complete Mailing Address of Billed Entity**  
Street Address, P.O. Box, or Route Number  
**440 North Broad Street, Suite 404**

City <b>PHILADELPHIA</b>	State <b>PA</b>	Zip Code <b>19130</b>
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Telephone Number <b>215-400-4440</b>	Extension	Fax Number <b>215-400-4441</b>
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**5. Contact Person Information**  
Contact Person Name  
**Robert Westall**

Street Address, P.O. Box or Route Number  
**440 North Broad Street, Suite 404**

City  
**Philadelphia**

State <b>PA</b>	Zip Code <b>19130</b>
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**Check the box next to the preferred mode of contact. (At least one box MUST be checked.)**

<input type="checkbox"/> Telephone Number <b>215-400-4440</b>	Extension	<input type="checkbox"/> Fax Number <b>215-400-4441</b>
--	-----------	--

Email Address  
**erate@phila.k12.pa.us**



Entity Number 126161 Applicant's Form Identifier SP07-48602  
Contact Person Robert Westall Phone Number 215-400-4440

**Block 2: Early Filing Information and CIPA Waiver Requests**

**6a. Early Filing**

CHECK THE BOX BELOW IF THE FRNS ON THIS FORM 486 ARE FOR SERVICES STARTING **ON OR BEFORE** JULY 31 OF THE FUNDING YEAR.

- The Funding Requests listed in Block 3 have been approved by USAC as shown in my Funding Commitment Decision Letter (FCDL). I have confirmed with the service provider(s) featured in those Funding Requests that these services will start on or before July 31 of the Funding Year.

**Remember: Early filing using Item 6a is an option if and ONLY if services will start within the month of July of the relevant Funding Year, all relevant certifications in Block 4 can be accurately made, and the Form 486 is postmarked on or before July 31 of the Funding Year.**

**6b. CIPA Waiver**

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR THE SECOND FUNDING YEAR AFTER APRIL 20, 2001 IN WHICH YOU HAVE APPLIED FOR DISCOUNTS IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY.

- I am providing notification that, as of the date of the start of discounted services, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the schools or libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Third Funding Year after April 20, 2001 in which they apply for discounts.

**6c. CIPA Waiver for Libraries for Funding Year 2004**

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR FUNDING YEAR 2004 IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY FOR THE LIBRARY(IES) REPRESENTED ON THIS FORM 486.

- I am providing notification that, as of the date of the start of discounted services in Funding Year 2004, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Funding Year 2005.



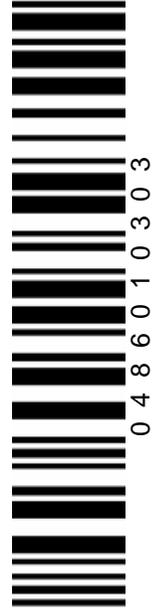
0 4 8 6 0 1 0 2 0 3

Entity Number 126161 Applicant's Form Identifier SP07-48602  
 Contact Person Robert Westall Phone Number 215-400-4440

**Block 3: Service Information**

7. Please provide the following information for each Form 471 Block 5 (Discount Funding Request) item for which the Billed Entity is indicating that the named service provider may begin submitting invoices to SLD. You will need your FCDL for some of the information required below.  
 Remember: The FRNs listed below must be from the same Funding Year as is listed in Block 1, Item 3. Page 3 A  
 If you need additional pages, please label them 4A, 4B, 4C, etc. and indicate the number in the space provided here:

	(A) 471 Application Number From FCDL	(B) Funding Request Number (FRN) From FCDL	(C) Service Provider Identification Number (SPIN) From FCDL	(D) Service Provider Name From FCDL	(E) Funding Year Service Start Date (Earliest Date that Discounted Services Will Begin)
1	562026	1553908	143019413	Yipes Enterprise Services, Inc	07/01/2007
2	562026	1553868	143004038	Verizon Select Services Inc.	07/01/2007
3	562026	1553892	143010240	US LEC COMMUNICATIONS INC.	07/01/2007
4	562026	1553846	143004038	Verizon Select Services Inc.	07/01/2007
5	562026	1553765	143000083	Telecove of Eastern Pennsylvania	07/01/2007
6	562026	1553808	143001398	Verizon Pennsylvania Inc.	07/01/2007
7	562026	1553705	143000892	Nextel South Corp.	07/01/2007
8					
10					
11					
12					



Entity Number	<u>126161</u>	Applicant's Form Identifier	<u>SP07-48602</u>
Contact Person	<u>Robert Westall</u>	Phone Number	<u>215-400-4440</u>

**Block 4: Certifications and Signature**

8.  I certify that the entity(ies) receiving discounted services as indicated on this Form 486 are covered by technology plan(s) that have been approved by a state or other authorized body – a USAC-certified technology plan approver – prior to the commencement of service and that cover all 12 months of the funding year. If applicable, provide the name(s) of the organization(s) that approved a technology plan for any eligible entity that is receiving services covered under this Form 486. If EVERY FRN listed in the Form 486 is for basic telephone service only, enter "NONE" here.

**Pennsylvania Department of Education**

9.  I certify that the services listed on this Form 486 have been, are planned to be, or are being provided to all or some of the eligible entities identified in the Form 471 application(s) cited above. I certify that there are signed contracts covering all of the services listed on this Form 486 except for those services provided on a tariff or month-to-month basis. I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity; that I have examined this request; and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

10.  I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services. I recognize that I may be audited pursuant to this application and will retain for five years any and all records, including Forms 479 where required, that I rely upon to complete this form and, if audited, will make available to the Administrator such records.

**NOTES FOR COMPLETING THE CERTIFICATIONS IN ITEM 11: A Billed Entity who is the Administrative Authority must check Item 11a or 11b or 11c. Check only ONE item. If the Billed Entity is not the Administrative Authority, skip to Item 11d. A Billed Entity who represents one or more Administrative Authorities must check Item 11d or 11e. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.") A Billed Entity who represents one or more Administrative Authorities in Funding Years after Funding Year 2001 and who checks Item 11d must check Item 11f or 11g. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")**

**IF THIS FORM PERTAINS TO A FUNDING YEAR PRIOR TO FUNDING YEAR 2001 (THE FUNDING YEAR BEGINNING JULY 1, 2001), SKIP TO ITEM 12.**



0 4 8 6 0 1 0 4 0 3

Entity Number 126161 Applicant's Form Identifier SP07-48602  
Contact Person Robert Westall Phone Number 215-400-4440

**11. FOR A BILLED ENTITY WHO IS THE ADMINISTRATIVE AUTHORITY:**

I certify that as of the date of the start of discounted services:

- a.  the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).
- b.  pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service represented in the Funding Request Number(s) on this Form 486:
- (FOR SCHOOLS and FOR LIBRARIES IN THE FIRST FUNDING YEAR FOR PURPOSES OF CIPA) is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year.
- (FOR FUNDING YEAR 2003 ONLY: FOR LIBRARIES IN THE SECOND OR THIRD FUNDING YEAR FOR PURPOSES OF CIPA) is (are) in compliance with the requirements of CIPA under 47 U.S.C. § 254(l) and undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA under 47 U.S.C. § 254(h) for the next funding year.
- c.  the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications services.

**FOR A BILLED ENTITY WHO REPRESENTS ONE OR MORE ADMINISTRATIVE AUTHORITIES <sup>1</sup>:**

- d.  I certify as the Billed Entity for the consortium that I have collected duly completed and signed Forms 479 from all eligible members of the consortium.
- e.  I certify as the Billed Entity for the consortium that the only services that have been approved for discounts under the universal service support mechanism on behalf of eligible members of the consortium are telecommunications services, and therefore the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), do not apply.

**For Funding Years after Funding Year 2001: If you checked Item 11d above, check ONE of the boxes below:**

- f.  I certify that some or all of the eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver, and upon request from the Administrator I can provide this information; OR
- g.  I certify that no eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver.

The certification language above is not intended to fully set forth or explain all the requirements of the statute.

<sup>1</sup> See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities."

**The certification language above is not intended to fully set forth or explain all the requirements of the statute.**



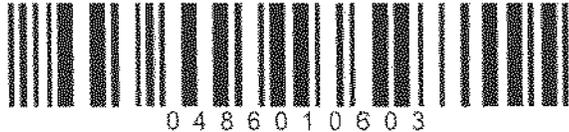
0 4 8 6 0 1 0 5 0 3

Do Not Write In This Area

Entity Number	<u>126161</u>	Applicant's Form Identifier	<u>SP07-48602</u>
Contact Person	<u>Robert Westall</u>	Phone Number	<u>215-400-4440</u>

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

12. Signature of authorized person	13. Date	
	<u>9-10-07</u>	
14. Printed name of authorized person		
<u>Robert Westall</u>		
15. Title or position of authorized person		
<u>Executive Director, Technology Services</u>		
16a. Street Address, P.O. Box, or Route Number		
<u>440 North Broad Street, Suite 404</u>		
City		
<u>Philadelphia</u>		
State	Zip Code	
<u>PA</u>	<u>19130</u>	
16b. Telephone number of authorized person	Extension	16c. Fax number of authorized person
<u>215-400-4440</u>		<u>215-400-4441</u>
16d. Email address of authorized person		
<u>erate@phila.k12.pa.us</u>		



Entity Number 126161 Applicant's Form Identifier SP07-48602  
Contact Person Robert Westall Phone Number 215-400-4440

**FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT**

Part 54 of the Commission's Rules authorizes the FCC to collect the information on this form. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to range from 1 to 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERF, Paperwork Reduction Act Project (3060-0853), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS FORM TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0853.

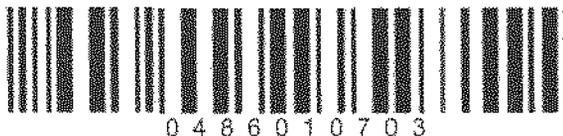
**THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

Please submit this form to:

SLD Form 486  
P. O. Box 7026  
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, send this form to:

SLD Forms  
ATTN: SLD Form 486  
3833 Greenway Drive  
Lawrence, Kansas 66046  
888-203-8100



**EXHIBIT B:**  
**Form 486 Notification Letter**



**FORM 486 NOTIFICATION LETTER**  
(Funding Year 2007: 07/01/2007 - 06/30/2008)

September 26, 2007

ROBERT WESTALL  
PHILADELPHIA SCHOOL DISTRICT  
440 NORTH BROAD STREET SUITE 404  
PHILADELPHIA, PA 19130

Re: **Form 486 Application Number: 411187**  
**Applicant's Form 486 Identifier: SP07-48602**

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose SPIN you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

**NEXT STEPS**

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Invoice USAC before the invoice deadline using the applicant invoice (BEAR Form - FCC Form 472) for reimbursements after paying the bills in full or the service provider invoice (SPI Form - FCC Form 474) for discounts. Whichever method you choose, you must pay your non-discount portion, as stated in Program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

**TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION**

If you wish to appeal the Service Start Date change(s) and/or funding commitment adjustment(s) indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.

2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - appellant name,
  - applicant or service provider name, if different than appellant,
  - applicant BEN and service provider SPIN,
  - Form 486 Number 411187 and FRN(s) as assigned by USAC,
  - "Form 486 Notification Letter for Funding Year 2007", AND
  - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the USAC s decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by the USAC s decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 South Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

A guide to the data reported in our letter reports is posted in the Reference Area of our website. Complete Program information, including invoice deadlines is also posted on our website. You may also contact our Client Service Bureau by email using the "Submit a Question" link on our website, toll-free by fax at 1-888-276-8736, or toll-free by phone at 1-888-203-8100.

Schools and Libraries Division  
Universal Service Administrative Company

FORM 486 NOTIFICATION LETTER REPORT  
(Funding Year 2007)

Funding Request Number: 1553705  
Form 471 Application Number: 562026  
Service Provider Name: Nextel South Corp.  
Service Provider Identification Number: 143000892  
Billing Account Number: 850851215  
Service Start Date: 07/01/2007

Funding Request Number: 1553765  
Form 471 Application Number: 562026  
Service Provider Name: Telecove of Eastern Pennsylvania  
Service Provider Identification Number: 143000083  
Billing Account Number: 100-576-3039  
Service Start Date: 07/01/2007

Funding Request Number: 1553808  
Form 471 Application Number: 562026  
Service Provider Name: Verizon Pennsylvania Inc.  
Service Provider Identification Number: 143001398  
Billing Account Number: 215-019-5317  
Service Start Date: 07/10/2007

Funding Request Number: 1553846  
Form 471 Application Number: 562026  
Service Provider Name: Verizon Select Services Inc.  
Service Provider Identification Number: 143004038  
Billing Account Number: 000131828740  
Service Start Date: 07/01/2007

Funding Request Number: 1553868  
Form 471 Application Number: 562026  
Service Provider Name: Verizon Select Services Inc.  
Service Provider Identification Number: 143004038  
Billing Account Number: 628707340-43Y  
Service Start Date: 07/01/2007

FORM 486 NOTIFICATION LETTER REPORT  
(Funding Year 2007)

Funding Request Number: 1553892  
Form 471 Application Number: 562026  
Service Provider Name: US LEC CORP.  
Service Provider Identification Number: 143010240  
Billing Account Number: 149340  
Service Start Date: 07/01/2007

Funding Request Number: 1553908  
Form 471 Application Number: 562026  
Service Provider Name: Yipes Enterprise Services, Inc  
Service Provider Identification Number: 143019413  
Billing Account Number: 1-1GA7P  
Service Start Date: 07/01/2007

**EXHIBIT C:**  
**Letter of Appeal**  
**Filed with USAC September 8, 2008**

September 8, 2008

*via e-mail: [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org)*

Letter of Appeal  
Schools and Libraries Division – Correspondence Unit  
100 South Jefferson Road  
PO Box 902  
Whippany, NJ 07981

**LETTER OF APPEAL  
FORM 486 SERVICE START DATE**

<b>Applicant:</b>	School District of Philadelphia
<b>Entity Number:</b>	126161
<b>Form 471 Application No.:</b>	562026
<b>Funding Year:</b>	2007
<b>FRN Number:</b>	1553808

The School District of Philadelphia ("School District"), by its undersigned representative, hereby appeals the service start date for FRN 1553808 as entered by the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company in the above-captioned matter.

**ISSUE FOR CLARIFICATION ON APPEAL:**

- Did the SLD make a data entry error that should now be corrected as a ministerial and clerical error?

**TIMELINE AND STATEMENT OF FACTS**

On August 28, 2007, the School District received funding commitments for all of the FRNs on its Form 471 Application No. 562026. This Application included funding requests for the School District's telecom and internet access services. The School District then filed their Form 486 on September 10, 2007 (see Applicant's Form 486 attached as Exhibit A). The SLD processed the School District's Form 486 around September 18, 2007, and at that time approved the requested service start date of July 1, 2007 for all the FRNs but FRN 1553808. For this FRN, the service start date was entered into the SLD system as 07/10/2007 instead of the requested 07/01/2007. No monetary adjustments were made to this FRN, and no reason for the change is given on the Form 486 Notification Letter (see Form 486 Notification Letter attached as Exhibit B). Instead this

appears to be a typographical error that was made at the SLD when the service start date was recorded. A copy of the information from the SLD's Data Retrieval Tool is attached as Exhibit C. This information shows the service start date as it is currently on record with the SLD.

The School District recognizes that the 486 was processed more than 60 days ago but the incorrect service start date was just discovered as the School District was in the process of preparing BEARs for FRN 1553808. Even though the appeal deadline has past, since this appears to be an error made at the SLD, the School District wanted to give the SLD an opportunity to correct this error as quickly as possible.

#### **ADMINISTRATIVE ACTION REQUESTED**

Accordingly, the School District requests that the SLD correct the data entry error and use the originally requested service start date of July 1, 2007 for FRN 1553808. This appears to be a simple typographical error where the date of 07/10/2007 was entered instead of 07/01/2007.

Respectfully,

A handwritten signature in blue ink that reads "John D. Harrington". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John D. Harrington  
Funds For Learning, LLC  
On Behalf of The School District of Philadelphia

501 South Coltrane  
Edmond, OK 73003  
405.341.4140  
[jharrington@fundsforlearning.com](mailto:jharrington@fundsforlearning.com)

Included with USAC Letter of Appeal Dated Sept. 8, 2008

**EXHIBIT A:**

**Form 486**

**Applicant Form Identifier of SP07-48602**

**Schools and Libraries Universal Service  
Receipt of Service Confirmation Form**

To be completed by the Billed Entity  
Please read instructions before completing.

(You can also file online at [www.usac.org/sl](http://www.usac.org/sl).)

Applicant's Form Identifier **SP07-48602**  
(Create your own code to identify THIS Form 486)

Form 486 Application#: \_\_\_\_\_  
(To be assigned by administrator)

**Block 1: Billed Entity Information**

**1. Name of Billed Entity**  
**School District of Philadelphia**

**2. Billed Entity Number** **126161**      **3. Funding Year** **July 1, 2007** through **June 30, 2008**

**4. Complete Mailing Address of Billed Entity**  
Street Address, P.O. Box, or Route Number  
**440 North Broad Street, Suite 404**

City **PHILADELPHIA**      State **PA**      Zip Code **19130**

Telephone Number **215-400-4440**      Extension \_\_\_\_\_      Fax Number **215-400-4441**

**5. Contact Person Information**  
Contact Person Name  
**Robert Westall**

Street Address, P.O. Box or Route Number  
**440 North Broad Street, Suite 404**

City  
**Philadelphia**

State **PA**      Zip Code **19130**

**Check the box next to the preferred mode of contact. (At least one box MUST be checked.)**  
 Telephone Number **215-400-4440**      Extension \_\_\_\_\_       Fax Number **215-400-4441**

Email Address  
**erate@phila.k12.pa.us**



Entity Number 126161 Applicant's Form Identifier SP07-48602  
Contact Person Robert Westall Phone Number 215-400-4440

**Block 2: Early Filing Information and CIPA Waiver Requests**

**6a. Early Filing**

CHECK THE BOX BELOW IF THE FRNS ON THIS FORM 486 ARE FOR SERVICES STARTING **ON OR BEFORE** JULY 31 OF THE FUNDING YEAR.

- The Funding Requests listed in Block 3 have been approved by USAC as shown in my Funding Commitment Decision Letter (FCDL). I have confirmed with the service provider(s) featured in those Funding Requests that these services will start on or before July 31 of the Funding Year.

**Remember: Early filing using Item 6a is an option if and ONLY if services will start within the month of July of the relevant Funding Year, all relevant certifications in Block 4 can be accurately made, and the Form 486 is postmarked on or before July 31 of the Funding Year.**

**6b. CIPA Waiver**

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR THE SECOND FUNDING YEAR AFTER APRIL 20, 2001 IN WHICH YOU HAVE APPLIED FOR DISCOUNTS IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY.

- I am providing notification that, as of the date of the start of discounted services, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the schools or libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Third Funding Year after April 20, 2001 in which they apply for discounts.

**6c. CIPA Waiver for Libraries for Funding Year 2004**

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR FUNDING YEAR 2004 IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY FOR THE LIBRARY(IES) REPRESENTED ON THIS FORM 486.

- I am providing notification that, as of the date of the start of discounted services in Funding Year 2004, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Funding Year 2005.



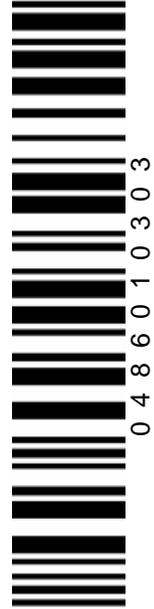
0 4 8 6 0 1 0 2 0 3

Entity Number 126161 Applicant's Form Identifier SP07-48602  
 Contact Person Robert Westall Phone Number 215-400-4440

**Block 3: Service Information**

7. Please provide the following information for each Form 471 Block 5 (Discount Funding Request) item for which the Billed Entity is indicating that the named service provider may begin submitting invoices to SLD. You will need your FCDL for some of the information required below.  
 Remember: The FRNs listed below must be from the same Funding Year as is listed in Block 1, Item 3. Page 3 A  
 If you need additional pages, please label them 4A, 4B, 4C, etc. and indicate the number in the space provided here:

	(A) 471 Application Number From FCDL	(B) Funding Request Number (FRN) From FCDL	(C) Service Provider Identification Number (SPIN) From FCDL	(D) Service Provider Name From FCDL	(E) Funding Year Service Start Date (Earliest Date that Discounted Services Will Begin)
1	562026	1553908	143019413	Yipes Enterprise Services, Inc	07/01/2007
2	562026	1553868	143004038	Verizon Select Services Inc.	07/01/2007
3	562026	1553892	143010240	US LEC COMMUNICATIONS INC.	07/01/2007
4	562026	1553846	143004038	Verizon Select Services Inc.	07/01/2007
5	562026	1553765	143000083	Telecove of Eastern Pennsylvania	07/01/2007
6	562026	1553808	143001398	Verizon Pennsylvania Inc.	07/01/2007
7	562026	1553705	143000892	Nextel South Corp.	07/01/2007
8					
10					
11					
12					





Entity Number 126161 Applicant's Form Identifier SP07-48602  
Contact Person Robert Westall Phone Number 215-400-4440

**11. FOR A BILLED ENTITY WHO IS THE ADMINISTRATIVE AUTHORITY:**

I certify that as of the date of the start of discounted services:

- a.  the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).
- b.  pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service represented in the Funding Request Number(s) on this Form 486:
- (FOR SCHOOLS and FOR LIBRARIES IN THE FIRST FUNDING YEAR FOR PURPOSES OF CIPA) is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year.
- (FOR FUNDING YEAR 2003 ONLY: FOR LIBRARIES IN THE SECOND OR THIRD FUNDING YEAR FOR PURPOSES OF CIPA) is (are) in compliance with the requirements of CIPA under 47 U.S.C. § 254(l) and undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA under 47 U.S.C. § 254(h) for the next funding year.
- c.  the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications services.

**FOR A BILLED ENTITY WHO REPRESENTS ONE OR MORE ADMINISTRATIVE AUTHORITIES <sup>1</sup>:**

- d.  I certify as the Billed Entity for the consortium that I have collected duly completed and signed Forms 479 from all eligible members of the consortium.
- e.  I certify as the Billed Entity for the consortium that the only services that have been approved for discounts under the universal service support mechanism on behalf of eligible members of the consortium are telecommunications services, and therefore the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), do not apply.

**For Funding Years after Funding Year 2001: If you checked Item 11d above, check ONE of the boxes below:**

- f.  I certify that some or all of the eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver, and upon request from the Administrator I can provide this information; OR
- g.  I certify that no eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver.

The certification language above is not intended to fully set forth or explain all the requirements of the statute.

<sup>1</sup> See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities."

**The certification language above is not intended to fully set forth or explain all the requirements of the statute.**



0 4 8 6 0 1 0 5 0 3

Do Not Write In This Area

Entity Number	<u>126161</u>	Applicant's Form Identifier	<u>SP07-48602</u>
Contact Person	<u>Robert Westall</u>	Phone Number	<u>215-400-4440</u>

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

12. Signature of authorized person	13. Date	
	<u>9-10-07</u>	
14. Printed name of authorized person		
<u>Robert Westall</u>		
15. Title or position of authorized person		
<u>Executive Director, Technology Services</u>		
16a. Street Address, P.O. Box, or Route Number		
<u>440 North Broad Street, Suite 404</u>		
City		
<u>Philadelphia</u>		
State	Zip Code	
<u>PA</u>	<u>19130</u>	
16b. Telephone number of authorized person	Extension	16c. Fax number of authorized person
<u>215-400-4440</u>		<u>215-400-4441</u>
16d. Email address of authorized person		
<u>erate@phila.k12.pa.us</u>		



Entity Number 126161 Applicant's Form Identifier SP07-48602  
Contact Person Robert Westall Phone Number 215-400-4440

**FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT**

Part 54 of the Commission's Rules authorizes the FCC to collect the information on this form. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to range from 1 to 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERF, Paperwork Reduction Act Project (3060-0853), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS FORM TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0853.

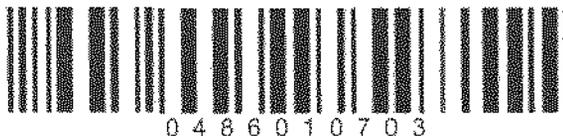
**THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

Please submit this form to:

SLD Form 486  
P. O. Box 7026  
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, send this form to:

SLD Forms  
ATTN: SLD Form 486  
3833 Greenway Drive  
Lawrence, Kansas 66046  
888-203-8100



Included with USAC Letter of Appeal Dated Sept. 8, 2008

**EXHIBIT B:**  
**Form 486 Notification Letter**



**FORM 486 NOTIFICATION LETTER**  
(Funding Year 2007: 07/01/2007 - 06/30/2008)

September 26, 2007

ROBERT WESTALL  
PHILADELPHIA SCHOOL DISTRICT  
440 NORTH BROAD STREET SUITE 404  
PHILADELPHIA, PA 19130

Re: **Form 486 Application Number: 411187**  
**Applicant's Form 486 Identifier: SP07-48602**

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose SPIN you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

**NEXT STEPS**

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Invoice USAC before the invoice deadline using the applicant invoice (BEAR Form - FCC Form 472) for reimbursements after paying the bills in full or the service provider invoice (SPI Form - FCC Form 474) for discounts. Whichever method you choose, you must pay your non-discount portion, as stated in Program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

**TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION**

If you wish to appeal the Service Start Date change(s) and/or funding commitment adjustment(s) indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.

2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - appellant name,
  - applicant or service provider name, if different than appellant,
  - applicant BEN and service provider SPIN,
  - Form 486 Number 411187 and FRN(s) as assigned by USAC,
  - "Form 486 Notification Letter for Funding Year 2007", AND
  - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the USAC s decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by the USAC s decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 South Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

A guide to the data reported in our letter reports is posted in the Reference Area of our website. Complete Program information, including invoice deadlines is also posted on our website. You may also contact our Client Service Bureau by email using the "Submit a Question" link on our website, toll-free by fax at 1-888-276-8736, or toll-free by phone at 1-888-203-8100.

Schools and Libraries Division  
Universal Service Administrative Company

FORM 486 NOTIFICATION LETTER REPORT  
(Funding Year 2007)

Funding Request Number: 1553705  
Form 471 Application Number: 562026  
Service Provider Name: Nextel South Corp.  
Service Provider Identification Number: 143000892  
Billing Account Number: 850851215  
Service Start Date: 07/01/2007

Funding Request Number: 1553765  
Form 471 Application Number: 562026  
Service Provider Name: Telecove of Eastern Pennsylvania  
Service Provider Identification Number: 143000083  
Billing Account Number: 100-576-3039  
Service Start Date: 07/01/2007

Funding Request Number: 1553808  
Form 471 Application Number: 562026  
Service Provider Name: Verizon Pennsylvania Inc.  
Service Provider Identification Number: 143001398  
Billing Account Number: 215-019-5317  
Service Start Date: 07/10/2007

Funding Request Number: 1553846  
Form 471 Application Number: 562026  
Service Provider Name: Verizon Select Services Inc.  
Service Provider Identification Number: 143004038  
Billing Account Number: 000131828740  
Service Start Date: 07/01/2007

Funding Request Number: 1553868  
Form 471 Application Number: 562026  
Service Provider Name: Verizon Select Services Inc.  
Service Provider Identification Number: 143004038  
Billing Account Number: 628707340-43Y  
Service Start Date: 07/01/2007

FORM 486 NOTIFICATION LETTER REPORT  
(Funding Year 2007)

Funding Request Number: 1553892  
Form 471 Application Number: 562026  
Service Provider Name: US LEC CORP.  
Service Provider Identification Number: 143010240  
Billing Account Number: 149340  
Service Start Date: 07/01/2007

Funding Request Number: 1553908  
Form 471 Application Number: 562026  
Service Provider Name: Yipes Enterprise Services, Inc  
Service Provider Identification Number: 143019413  
Billing Account Number: 1-1GA7P  
Service Start Date: 07/01/2007

Included with USAC Letter of Appeal Dated Sept. 8, 2008

**EXHIBIT C:**  
**SLD Data Retrieval Tool**

471 Application Number	471 Form FRN	Status	Applicant Name	Service Provider Name	Commitment Status	486 SSD	Funding Year	Contract Exp Date	Last Date to Invoice	Committed Amount
562026	1553808	CERTIFIED	PHILADELPHIA SCHOOL DISTRICT	Verizon Pennsylvania Inc.	FUNDED	7/10/2007	2007	6/30/2011	10/28/2008	\$1,317,460.13

**EXHIBIT D:**  
**Appeal Decision Letter from USAC**  
**Dated October 17, 2008**



**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2007-2008**

October 17, 2008

John Harrington  
Funds for Learning, LLC  
501 South Coltrane  
Edmond, OK 73003

Re: Applicant Name: PHILADELPHIA SCHOOL DISTRICT  
Billed Entity Number: 126161  
Form 471 Application Number: 562026  
Funding Request Number(s): 1553808  
Decision Letter Date: September 26, 2007  
Date Appeal Postmarked: October 08, 2008  
Your Correspondence Dated: September 08, 2008

Our records show that your appeal was postmarked more than 60 days after the date your Form 486 Notification Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division  
Universal Service Administrative Company

cc: Robert Westall

John Harrington  
Funds for Learning, LLC  
501 South Coltrane  
Edmond, OK 73003

Billed Entity Number: 126161  
Form 471 Application Number: 562026  
Form 486 Application Number: